IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the May 15th , 2006

Criminal Bail Application No. 402 of 2006

Order on the bail application of accused

CRIMINAL SIDE

Afzal @ Zala .....Applicant

Versus

State of Uttaranchal ....Opposite Party

Arising out of case crime No.126 of 2005
Under Sections 395, 354, 412 IPC
Police Station – Bhagwanpur
District – Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Navneet Kaushik learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The FIR was lodged against the unknown persons alleging therein that the incident took place in the intervening night of 29/30-07.2005. The applicant-accused was arrested on 13.04.2006. Only evidence against the applicant is the statement of the co-accused Aasif recorded under section 161 Cr.P.C. It is admitted that there is no other evidence except the evidence statement of Aasif. No identification parade has been conducted. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(J.C.S. Rawat, J.)

Dated 15.05.2006
LSR